

**From:** Waye, Don  
**To:** Sweeney, Stephen  
**CC:** Hall, Lynda  
**Sent:** 7/16/2014 5:52:00 PM  
**Subject:** RE: Who Decides on Baseline for 319 Withholding (OR CZARA)

Ahh. Thank you, good sir.

Per your last paragraph, the confusion could have been just mine. I seem to have developed “summer brain” upon my

**Ex. 6 - Personal Privacy**

**From:** Sweeney, Stephen  
**Sent:** Wednesday, July 16, 2014 5:48 PM  
**To:** Waye, Don  
**Cc:** Carlin, Jayne; Hall, Lynda; Psyk, Christine  
**Subject:** RE: Who Decides on Baseline for 319 Withholding (OR CZARA)

Do Not Release – Withhold under FOIA exemption five

Don,

# Ex. 5 - Attorney Client

Steve

**From:** Waye, Don  
**Sent:** Wednesday, July 16, 2014 5:34 PM  
**To:** Sweeney, Stephen  
**Cc:** Carlin, Jayne; Hall, Lynda; Psyk, Christine  
**Subject:** FW: Who Decides on Baseline for 319 Withholding (OR CZARA)

Steve,

# Ex. 5 - Attorney Client

***§ 1455b.(c)(4)Withholding water pollution control assistance.*** *If the Administrator finds that a coastal State has failed to submit an approvable program as required by this section, the Administrator shall withhold from grants available to the State under section 319 of the Federal Water Pollution Control Act [33*

*USC § 1329], for each fiscal year until such a program is submitted, an amount equal to a percentage of the grants awarded to the State for the preceding fiscal year under that section, as follows:*

*(A) For fiscal year 1996, 10 percent of the amount awarded for fiscal year 1995.*

*(B) For fiscal year 1997, 15 percent of the amount awarded for fiscal year 1996.*

*(C) For fiscal year 1998, 20 percent of the amount awarded for fiscal year 1997.*

*(D) For fiscal year 1999 and each fiscal year thereafter, 30 percent of the amount awarded for fiscal year 1998 or other preceding fiscal year.*

*The Administrator shall make amounts withheld under this paragraph available to States having programs approved pursuant to this subsection.*

Please comment, as this should inform the policy decision.

Don Waye  
U.S. EPA - Nonpoint Source Control Branch  
Phone: 202-566-1170

**From:** Carlin, Jayne  
**Sent:** Wednesday, July 16, 2014 5:01 PM  
**To:** Psyk, Christine; Hall, Lynda  
**Cc:** Sweeney, Stephen; Byrne, Jennifer; Waye, Don; Henning, Alan; [allison.castellan@noaa.gov](mailto:allison.castellan@noaa.gov); [joelle.gore@noaa.gov](mailto:joelle.gore@noaa.gov)  
**Subject:** Who Decides on Baseline for 319 Withholding (OR CZARA)

Hi Christine and Lynda,

## Ex. 5 - Attorney Client

Jayne

Jayne Carlin, Watersheds Unit  
US EPA, Region 10  
1200 6th Ave, Suite 900 (OWW-134)  
Seattle, WA 98101-3140  
(206) 553-8512, (206) 553-0165 (fax)  
[carlin.jayne@epa.gov](mailto:carlin.jayne@epa.gov)

<http://www.epa.gov/r10earth/tmdl.htm>

**From:** Waye, Don  
**Sent:** Wednesday, July 16, 2014 9:29 AM  
**To:** Carlin, Jayne  
**Subject:** RE: Follow-up on July 15 OR CZARA Meeting: EPA Penalties & Jeff's Availability for Future Meeting

Jayne,

## Ex. 5 - Deliberative

Don

**From:** Carlin, Jayne

**Sent:** Wednesday, July 16, 2014 12:19 PM

**To:** [allison.castellan@noaa.gov](mailto:allison.castellan@noaa.gov)

**Cc:** Waye, Don; Wu, Jennifer; Solloway, Chris; Parry, Roberta; Croxton, Dave; Henning, Alan; Flahive, Katie; Rueda, Helen; Melissa Rada - NOAA Affiliate; [joelle.gore@noaa.gov](mailto:joelle.gore@noaa.gov); Hall, Lynda; Psyk, Christine

**Subject:** RE: Follow-up on July 15 OR CZARA Meeting: EPA Penalties & Jeff's Availability for Future Meeting

Hi All,

## Ex. 5 - Deliberative

Jayne

Jayne Carlin, Watersheds Unit

US EPA, Region 10

1200 6th Ave, Suite 900 (OWW-134)

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(206) 553-8512, (206) 553-0165 (fax)

[carlin.jayne@epa.gov](mailto:carlin.jayne@epa.gov)

<http://www.epa.gov/r10earth/tmdl.htm>

**From:** Allison Castellan - NOAA Federal [<mailto:allison.castellan@noaa.gov>]

**Sent:** Wednesday, July 16, 2014 5:52 AM

**To:** Carlin, Jayne

**Cc:** Waye, Don; Wu, Jennifer; Solloway, Chris; Parry, Roberta; Croxton, Dave; Henning, Alan; Flahive, Katie; Rueda, Helen; Melissa Rada - NOAA Affiliate; [joelle.gore@noaa.gov](mailto:joelle.gore@noaa.gov); Hall, Lynda; Psyk, Christine

**Subject:** Re: Follow-up on July 15 OR CZARA Meeting: EPA Penalties & Jeff's Availability for Future Meeting

Thanks for sharing Jayne

Ex. 5 - Deliberative

Ex. 5 - Deliberative

On Tue, Jul 15, 2014 at 6:58 PM, Carlin, Jayne <[Carlin.Jayne@epa.gov](mailto:Carlin.Jayne@epa.gov)> wrote:

Hi All,

## Ex. 5 - Deliberative

I think we should invite the attorneys to one of our future meetings. What is Jeff's availability for July 29, August 5 or 12 at 1 pm (EST), Allison?

Jayne

Jayne Carlin, Watersheds Unit

US EPA, Region 10

1200 6th Ave, Suite 900 (OWW-134)

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(206) 553-8512, (206) 553-0165 (fax)

[carlin.jayne@epa.gov](mailto:carlin.jayne@epa.gov)

<http://www.epa.gov/r10earth/tmdl.htm>

**From:** Carlin, Jayne



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